

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577
(510) 567-6700
FAX (510) 337-9335

August 16, 2004

Mr. Doug Herman
Port of Oakland
530 Water St.
P.O. Box 2064
Oakland, CA 94604-2064

Dear Mr. Herman:

Subject: Fuel Leak Case Closure, Port of Oakland, Embarcadero Cove, 1211
Embarcadero, Oakland, CA 94606, Case No. RO0002445

This letter serves to acknowledge the correct address of the site formerly referred to as 1275 Embarcadero, Oakland, 94606, which was issued a case closure letter dated June 18, 2004 for a former gasoline tank at this address. Let this letter reflect that the actual underground tank closure address is 1211 Embarcadero, Oakland, CA 94606.

If you have any questions, please contact me at (510) 567-6765.

Sincerely,

Barney M. Chan
Hazardous Materials Specialist

C: B. Chan, D. Drogos, R. Garcia-La Grille, Mee Ling Tung
Ms. Betty Graham, RWQCB
Mr. Toru Okamoto, SWRCB
Mr. Leroy Griffin, City of Oakland FD



RO 2445 (LOP)
~~2501~~

PORT OF OAKLAND

October 2, 2003

Mr. Dan Gray
Gray & Reynolds Properties, Inc.
2565 Merced Street
San Leandro, CA 94577

Alameda County

OCT 11 2003

Environmental Health

**Subject: Groundwater Remediation Activities
Address Clarification**

Dear Mr. Gray:

As you know, you have entered into a Ground Lease Agreement with the Port of Oakland and plan to develop on a parcel of Port land identified as 1211 Embarcadero, Oakland. Initially, Gray & Reynolds was interested in developing a series of contiguous parcels with addresses that ranged from 1211 to 1441 Embarcadero.

In all correspondence with the Regional Water Quality Control Board (RWQCB) and Alameda County Department of Environmental Health (ACDEH), the Port of Oakland identified these series of contiguous parcels as 1275 Embarcadero. For clarification purposes, the groundwater remediation plan and on-site remediation activities, reviewed and approved by the RWQCB and ACDEH, were performed on the land identified as 1211 Embarcadero, Oakland. Additionally, the ACDEH No Further Action Determination memorandum, dated July 7, 2003, is a no further action determination for the Port land identified as 1211 Embarcadero, Oakland.

I hope this letter addresses any questions raised by outside agencies on why the development site is identified as 1211 Embarcadero, and in all correspondence with the RWQCB and ACDEH the site is identified as 1275 Embarcadero. Please do not hesitate to contact me at 510-627-1184, if you have additional questions or concerns.

Sincerely,

Douglas P. Herman
Associate Port Environmental Scientist

Cc: Barbara Szudy
Vivian O'Neal
Thomas Bender
Christine Noma
Betty Graham, RWQCB
Barney Chan, ACDEH

C:\win\mydocs\projects\g&r\address clarification



RO 2445

PORT OF OAKLAND

July 15, 2003

Mr. Barney Chan
Alameda County Health Care Services Agency
Department of Environmental Health
1131 Harbor Bay Parkway, 2nd Floor
Alameda, California 94502

**Subject: Notice of Proposed Action Submitted to Alameda County
Department of Environmental Health
Gray & Reynolds Site, 1275 Embarcadero Road, Oakland**

Dear Mr. Chan:

In accordance with Section 25297.15(a) of Chapter 6.7 of the Health and Safety Code, I, Douglas P. Herman certify that I have notified all responsible landowners of the enclosed proposed action, and that the Port of Oakland is the sole landowner of the property indicated above.

Local agency intention to make a determination that no further action is required.

If you have any questions, please contact me at (510) 627-1184.

Sincerely,



Douglas P. Herman
Associate Port Environmental Scientist

Encl: Letter Notification: Intent to Make a Determination That No Further Action is Required *or* Issue a Closure Letter for the Gray & Reynolds Site, 1275 Embarcadero Road, Oakland

Cc w/encl: Betty Graham
Dan Gray
Thomas Bender
Barbara Szudy
Michele Heffes
Christine Noma

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



July 7, 2003
RO0002445

Mr. Douglas Herman
Port of Oakland
530 Water St.
P.O. Box 2064
Oakland CA 94604-2064

ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577
(510) 567-6700
FAX (510) 337-9335

INTENT TO MAKE A DETERMINATION THAT NO FURTHER ACTION IS
REQUIRED OR ISSUE A CLOSURE LETTER FOR Gray & Reynolds Site, 1275
Embarcadero, Oakland, CA 94606

Dear Mr. Herman:

This letter is to inform you that Alameda County Environmental Health Department, Local Oversight Program (LOP), intends to make a determination that no further action is required at the above site or to issue a closure letter. Please notify this agency of any input and recommendations you may have on these proposed actions within 20 days of the date of this letter.

In accordance with section 25297.15 of Ch. 6.7 of the Health & Safety Code, you must provide certification to the local agency that all of the current record fee title owners have been informed of the proposed action. Please provide this certification to this office within 20 days of the date of this letter. You may use the enclosed example letter (#3) for your reply.

If you have any questions about these proposed actions, please contact the undersigned at (510) 567-6765.

Sincerely,

A handwritten signature in black ink that reads "Barney M. Chan". The signature is written in a cursive style.

Barney M. Chan
Hazardous Materials Specialist

enclosure

c: B. Chan, D. Drogos

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



July 7, 2003
RO0002445

Mr. Douglas Herman
Port of Oakland
530 Water St.
P.O. Box 2064
Oakland CA 94604-2064

ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577
(510) 567-6700
FAX (510) 337-9335

INTENT TO MAKE A DETERMINATION THAT NO FURTHER ACTION IS
REQUIRED OR ISSUE A CLOSURE LETTER FOR Gray & Reynolds Site, 1275
Embarcadero, Oakland, CA 94606

Dear Mr. Herman:

This letter is to inform you that Alameda County Environmental Health Department, Local Oversight Program (LOP), intends to make a determination that no further action is required at the above site or to issue a closure letter. Please notify this agency of any input and recommendations you may have on these proposed actions within 20 days of the date of this letter.

In accordance with section 25297.15 of Ch. 6.7 of the Health & Safety Code, you must provide certification to the local agency that all of the current record fee title owners have been informed of the proposed action. Please provide this certification to this office within 20 days of the date of this letter. You may use the enclosed example letter (#3) for your reply.

If you have any questions about these proposed actions, please contact the undersigned at (510) 567-6765.

Sincerely,

Barney M. Chan
Hazardous Materials Specialist

enclosure

c: B. Chan, D. Drogos

SAMPLE LETTER 3: NOTICE OF PROPOSED ACTION SUBMITTED TO LOCAL AGENCY

Name of local agency
Street address
City

SUBJECT: NOTICE OF PROPOSED ACTION SUBMITTED TO LOCAL AGENCY
FOR *(Site Name and Address)*

In accordance with section 25297,15(a) of Chapter 6.7 of the Health & Safety Code, I, *(name of primary responsible party)*, certify that I have notified all responsible landowners of the enclosed proposed action. Check space for applicable proposed action(s):

- cleanup proposal (corrective action plan)
- site closure proposal
- local agency intention to make a determination that no further action is required
- local agency intention to issue a closure letter

Sincerely,

Signature of primary responsible party

Name of primary responsible party

cc: Names and addresses of all record fee title owners

R0244 5 BC



State Water Resources Control Board



Division of Financial Assistance

1001 I Street • Sacramento, California 95814

P.O. Box 944212 • Sacramento, California • 94244-2120

(916) 341-5714 • FAX (916) 341-5806 • www.swrcb.ca.gov/cwphome/ustcf

Winston H. Hickox
Secretary for
Environmental
Protection

Gray Davis
Governor

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our website at www.swrcb.ca.gov.

June 10, 2003

Port Of Oakland

Wendel, Rosen, Black & Dean, LLP

1111 Broadway, 24th Fl

Oakland, CA 94607

UNDERGROUND STORAGE TANK CLEANUP FUND (FUND), STAFF DECISION TO REJECT CLAIM: CLAIM NUMBER 017670; FOR SITE ADDRESS: 1275 EMBARCADERO, OAKLAND

Your claim has been found to be ineligible for placement on the Priority List for the following reason:

You were never the owner or operator of the UST (Section 2810.1).

After careful review, the documents submitted with the claim application support the rejection of the subject claim. The claimant, as the property owner, did not own or operate the UST that is subject of this claim. In addition, to support the existence of the subject UST, the Fund would require the actual permit documents of the subject UST.

NOTE: Sections cited are found in the Petroleum Underground Storage Tank Cleanup Fund Regulations, Title 23, Division 3, Chapter 18, of the California Code of Regulations.

If you disagree with this Staff Decision, you may appeal to the Division Chief pursuant to Section 2814.1 of the Petroleum Underground Storage Tank Cleanup Fund Regulations. If you would like review of the decision by the Fund Manager, please submit your request along with any additional documentation to:

Allan V. Patton, Fund Manager, Claim #017670
Underground Storage Tank Cleanup Fund
State Water Resources Control Board
Division of Financial Assistance
P.O. Box 944212
Sacramento, CA 94244-2120

A request to the Fund Manager must include, at a minimum: (1) a statement describing how the claimant is damaged by the prior Staff Decision; (2) a description of the remedy or outcome desired; and (3) an explanation of why the claimant believes the Staff Decision is erroneous, inappropriate or improper.

If you do not request a review by the Fund Manager within thirty (30) calendar days from the date of this letter, the Staff Decision will then become final and conclusive.

If you have any questions, please call me at (916) 341-5714.

Sincerely,

Shari Knieriem
Claims Review Unit
Underground Storage Tank Cleanup Fund

cc: Ms. Donna Drogos
Alameda County EHD
1131 Harbor Bay Pkway, 2nd Fl.
Alameda, CA 94502-6577

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577
(510) 567-6700
FAX (510) 337-9335

April 11, 2003

Mr. Doug Herman
Port of Oakland
P.O. Box 2064
Oakland, CA 94604-2064

Dear Mr. Herman:

Subject: Fuel Leak Case RO0002445, 1275 Embarcadero, Oakland, CA 94606

Alameda County Environmental Health, Local Oversight Program (LOP) has received and reviewed the February 28, 2003 Groundwater Monitoring and Sampling Report for the referenced site. The results are consistent with past results and indicate that the site may be considered for case closure after completion of the groundwater monitoring investigation. We have considered your request for site closure at this time, however, we request that you continue monitoring the two existing wells at this site, as previously agreed, to complete an annual monitoring cycle. Please include the previously requested cross-sectional diagrams including utilities, borings, wells and groundwater elevations in your next (final) monitoring report. In addition, please show the utility elevation along its path.

You may contact me at (510) 567-6765 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Barney M. Chan', is written over a horizontal line.

Barney M. Chan
Hazardous Materials Specialist

C: B. Chan, D. Drogos

Mr. C. Alger, Iris-Cambria, J.V., 1615 Broadway, Ste. 1003, Oakland, CA 94612
Ms. Betty Graham, SFRWQCB

1275 Embarcadero

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



November 1, 2002

Mr. Doug Herman
Port of Oakland
P.O. Box 2064
Oakland, CA 94604-2064

ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577
(510) 567-6700
FAX (510) 337-9335

Dear Mr. Herman:

Subject: Fuel Leak Case RO0002445, 1275 Embarcadero, Oakland, CA 94606

Alameda County Environmental Health, Local Oversight Program (LOP) has received and reviewed the October 25, 2002 Monitoring Well Installation and Utility Trench Sampling Workplan for the referenced site prepared by Cambria Environmental. The work plan proposes the installation of well MW-4a as a replacement well for MW-4 and the advancement of four temporary wells within the backfill of the sanitary and storm sewers, up and down-gradient of the site. It is assumed that the replacement well's construction will be comparable to the others ie 12' in length and screened from 4-12'. A minimum of one vadose soil sample should be collected for chemical analysis from the well boring. Temporary wells will be advanced to a depth of approximately 1 1/2' below the utility invert into the backfill material and water sampled for analysis. In the event that water is not encountered, please collect a soil sample. All soil and water samples should be analyzed for TPHg, TPHd, TPHmo and BTEX.

This work plan is approved. Please contact our office prior to performing this work. I may be reached at (510) 567-6765.

Sincerely,

Barney M. Chan
Hazardous Materials Specialist

C: B. Chan, files

Mr. R. Marinai, Iris-Cambria Environmental, JV, 1144 65th St., Ste. B, Oakland, CA 94608
Mr. C. Alger, Iris-Cambria Environmental, JV, 1615 Broadway, Ste. 1003, Oakland, CA 94612
Ms. B. Graham, SFRWQCB
Wpap1275Embarcadero



California Regional Water Quality Control Board

San Francisco Bay Region



Winston H. Hickox
Secretary for
Environmental
Protection

Internet Address: <http://www.swrcb.ca.gov>
1515 Clay Street, Suite 1400, Oakland, California 94612
Phone (510) 622-2300 FAX (510) 622-2460

Gray Davis
Governor

Date: September 18, 2002
File No. 2198.17 (JDW)

2002-09-23 12:17

(Cambria letter)
Rozz

Port of Oakland
Mr. Douglas P. Herman
Associate Port Environmental Scientist
530 Water Street, Jack London Square
P. O. Box 2064
Oakland, CA 94604-2064

Subject: Regulatory Status for 1275 Embarcadero Road, Oakland, Alameda County

Dear Mr. Herman:

The Port of Oakland (Port) has informed the Regional Water Quality Control Board, San Francisco Bay Region, (Regional Board) that it intends to redevelop its property located at 1275 Embarcadero Road, Oakland, Alameda County (Site) and lease it to Gray & Reynolds Properties, Inc. Since August 2001 the Alameda County Department of Environmental Health (County) has been the lead agency, with assistance from the Regional Board, for the investigation and remediation of soil and groundwater contamination at the Site. Over the past year the Port has cooperated fully with the County and the Regional Board, and it has committed to do so in the future.

To date the Port has conducted the following activities at the Site:

- Conducted a Phase I Site Assessment of the properties from 1275-1441 Embarcadero;
- Developed a soil and groundwater investigation work plan for 1275 Embarcadero;
- Following agency approval, implemented the work plan and installed a total of five groundwater monitoring wells (MW-1 through MW-5) to understand contaminant levels in groundwater and groundwater gradient direction;
- Excavated the area (10 feet x 10 feet x 10 feet) of the former underground storage tank and removed well MW-1;
- Sampled on-site wells in April and June 2002;
- Submitted the monitoring well installation, groundwater monitoring, and soil excavation report to the County in July 2002.

The above activities are documented in the following reports:

Baseline Environmental, "Soil and Groundwater Investigation and Workplan, Gray & Reynolds Development Project, Embarcadero Cove, Oakland, California," August 2001

Iris-Cambria Environmental, JV. "Workplan Addendum, Gray & Reynolds Development Site, Embarcadero Cove, 1275 Embarcadero Road, Oakland" October 2, 2001.

California Environmental Protection Agency

Iris-Cambria Environmental, JV. *"Site Investigation and Screening – Level Risk Assessment Report, Gray and Reynolds Development Site Embarcadero Cove, 1275 Embarcadero Road, Oakland,"* November 19, 2001.

Iris-Cambria Environmental, JV. *"Monitoring Well Installation, Groundwater Monitoring, and Soil Excavation Report Gray and Reynolds Development Site, Embarcadero Cove, 1275 Embarcadero Road, Oakland,"* July 24, 2002.

Regulatory Status

The Regional Board considers the Port to be the primary responsible party in connection with the remediation of contamination at the Site, and the Regional Board expects that the Port will continue to implement the current remedial action plan until closure is obtained. In this case, the Regional Board will not pursue the prospective purchaser where the primarily responsible party has the financial resources necessary to conduct the remediation, where that responsible party is satisfactorily engaged in active remediation, and where the prospective purchaser provides reasonable access for necessary remedial activities.

If you have any additional questions regarding this letter, please contact John Wolfenden of my staff at (510) 622-2444 [e-mail jdjw@rb2.swrcb.ca.gov].

Sincerely,



Stephen A. Hill
Toxics Cleanup Division Chief

For Loretta K. Barsamian
Executive Officer

cc:

Alameda County Environmental Health
Mr. Barney Chan
1131 Harbor Bay Parkway, 2nd Floor
Alameda, CA 94502

Gray & Reynolds Properties, Inc.
Mr. Dan Gray
Mr. Peter Reynolds
2565 Merced Street
San Leandro, CA 94577

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



September 11, 2002

Mr. Doug Herman
Port of Oakland
P.O. Box 2064
Oakland CA 94604-2064

ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577
(510) 567-6700
FAX (510) 337-9335

Dear Mr. Herman:

Subject: Fuel Leak Case No. RO0002445, 1275 Embarcadero, Oakland, CA 94606

Alameda County Environmental Health, Local Oversight Program (LOP), has reviewed the case file for the subject up to and including the July 24, 2002 Monitoring Well Installation, Groundwater Monitoring, and Soil Excavation Report by Iris-Cambria. This letter serves to respond to the Port's request for comment from the County to their July 30, 2002 letter. We request that you address the following technical comments and submit the technical reports requested below.

Technical Comments

- Our office has no objection to the proposed Gray & Reynolds development as proposed with its location being generally within the same footprint as the former Hungry Hunter restaurant.
- Our office does not yet believe that stable or diminishing groundwater conditions exist as demonstrated in results from MW-4. Therefore, monitoring of wells MW-4 and MW-5 should continue quarterly for one year or until appropriate demonstration of stability.
- Our office concurs that MW-2 and MW-3 may be properly destroyed, however, should you want to destroy MW-4 a replacement well must be installed.
- The potential impact to utilities has not been adequately investigated. Please provide cross-sectional diagrams in the north-south and east-west directions including the former and existing monitoring wells and utilities. Please indicate the highest and lowest groundwater elevation encounter in each well on your diagram.
- Based upon potential groundwater impact to utilities, please provide a work plan to sample the utility trenches at a time when groundwater may be intercepted. Please show all off-site and on-site utility connections.
- Our office will determine the need for a deed restriction or risk management plan based upon site conditions at time of site closure.

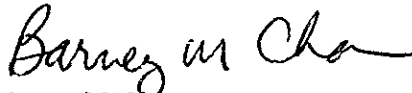
Technical Report Request

- October 7, 2002- Groundwater monitoring report, cross sectional diagrams and comment to above items.
- January 7, 2003- Groundwater monitoring report
- April 7, 2003- Groundwater monitoring report (as necessary)
- July 7, 2003- Groundwater monitoring report (as necessary)

Mr. Doug Herman
1275 Embarcadero, Oakland 94606
RO0002445
September 11, 2002
Page 2

You may contact me at (510) 567-6765 if you have any questions.

Sincerely,



Barney M. Chan
Hazardous Materials Specialist

✓ C: B. Chan, files
Mr. R. Marinai, Iris-Cambria Environmental, JV, 1144 65th St., Ste. B, Oakland, CA 94608
Mr. C. Alger, Iris-Cambria Environmental, JV, 1615 Broadway, Ste. 1003, Oakland, CA 94612
Ms. B. Graham and Mr. C. Headlee, SFRWQCB

1275Embarcadero



PORT OF OAKLAND

Environmental Health &
Safety Compliance
530 Water Street, 2nd Floor
Oakland, CA 94607

FAX: (510) 451-5916

PHONE: (510) 627-1529

FACSIMILE TRANSMITTAL

TO	Alameda County Health
ATTENTION	Barney Chan
FROM	Douglas Herman
DATE & TIME	4/16/02 3:15
FAX NUMBER	337-9335
NO. OF PAGES	3 CC

COMMENTS:

Please sign the letter if
appropriate and forward
to Chuck Headlee.

Thanks,



PORT OF OAKLAND

RD 2445

May 15, 2002

Mr. Barney Chan
Alameda County Health Care Services Agency
Department of Environmental Health
1131 Harbor Bay Parkway, 2nd Floor
Alameda, California 94502

Mr. Chuck Headlee
Regional Water Quality Control Board
San Francisco Bay Region
1515 Clay Street, Suite 1400
Oakland, CA 94612

Dear Messrs. Chan and Headlee:

Thank you for meeting with us regarding the Gray and Reynolds Development Site (Site), 1275 Embarcadero Road, Oakland. This letter memorializes the agreement reached on April 12, 2002 between the Port, the Regional Water Quality Control Board and Alameda County Health Care Services Agency regarding further activities at the Site.

1. The site is now LOP site R00002445.
2. The Port will remove MW-1 by excavation with a permit from Alameda County Public Works Agency. The excavation's approximate dimension will be 10 x 10 feet to the depth of the shallow groundwater, which is approximately 5 feet. Monitoring Well MW-1 would be in the center of excavation. Excavated soil will be sampled for off-site disposal. The excavation will be back-filled with clean material after an excess amount of ORC has been introduced into the open excavation. The County will be notified 72 hours prior to the excavation and associated field work.
3. A new well, MW-5, will be installed in the presumed down gradient direction from the former tank location to the northeast, in the sidewalk along Embarcadero Road.
4. The on-site wells (minus the removed MW-1) and MW-5 will be sampled in April and June 2002. Thereafter, on-site wells, MW-2 through MW-4, will be abandoned.
5. Monitoring well MW-5 will be sampled additionally in September and December 2002.
6. If the groundwater conditions indicate a stable or diminishing plume, the site will be recommended for closure by the County in approximately December 2002.
7. The SFRWQCB will provide a letter to the Port, as soon as possible, indicating that site development is feasible.
8. No requirement for a deed restriction or risk management plan for the site is foreseen.
9. Construction at the site will have to be undertaken in accordance with an appropriate health and safety plan.

If this correctly represents the agreement reached on April 12, 2002 please indicate your concurrence by signing below and returning a copy of this letter to us at your earliest convenience.

530 Water Street ■ Jack London Square ■ P.O. Box 2064 ■ Oakland, California 94604-2064
Telephone: (510) 627-1100 ■ Facsimile: (510) 627-1826 ■ Web Page: www.portofoakland.com

JUN 04 2002 14:40

5104515916

PAGE. 02

Received Jun-05-02 02:07pm

From-510 627 2464

To-Port of Oakland-EH&S

Page 002

MAY 17 2002

JUN 10 2002

We have appreciated your assistance on this project

Sincerely,

Doug P. Herman

Douglas Herman
Associate Port Environmental Scientist

Barney Chan 5/30/02
Barney Chan, Date

Chuck Headlee, 6-5-02
Chuck Headlee, Date

- Cc: Dan Gray
- Don Reynolds
- Thomas Bender
- Barbara Szudy
- Vivian O'Neal
- Michael Dean
- Chris Alger

C:\win\mydocs\projects\gray&reynolds\mou on site.net



PORT OF OAKLAND

April 16, 2002

Mr. Barney Chan
Alameda County Health Care Services Agency
Department of Environmental Health
1131 Harbor Bay Parkway, 2nd Floor
Alameda, California 94502

Mr. Chuck Headlee
Regional Water Quality Control Board
San Francisco Bay Region
1515 Clay Street, Suite 1400
Oakland, CA 94612

Dear Mrssrs. Chan and Headlee:

Thank you for meeting with us regarding the Grey and Reynolds Development Site (Site), 1275 Embarcadero Road, Oakland. This letter memorializes the agreement reached on April 12, 2002 between the Port, the Regional Water Quality Control Board and Alameda County Health Care Services Agency regarding further activities at the Site.

1. The site is now LOP site R00002445.
2. The Port will remove MW-1 by excavation with a permit from Alameda County. The excavation will be a dimension of 10 x 10 feet to the depth of the shallow groundwater, which is approximately 5 feet. Monitoring Well MW-1 would be in the center of excavation. Excavated soil will be sampled to determine off-site disposal. The excavation will be back-filled with clean material after ORC has been introduced into the open excavation. The County will be notified 72 hours prior to the excavation and associated field work.
3. A new well, MW-5, will be installed in the presumed down gradient direction from the former tank location to the north-east, in the sidewalk along Embarcadero Road.
4. The on-site wells (minus the removed MW-1) and MW-5 will be sampled in April and June. Thereafter, on-site wells will be abandoned.
5. Monitoring well MW-5 will be sampled additionally in September and December 2002.
6. Unless the additional data indicate different hydrological and chemical conditions than have been observed at the site to date, the site will be closed by the County in December 2002.
7. The County will provide a letter to the Port, as soon as possible, indicating that site development is feasible.
8. There will be no requirement for a deed restriction or risk management plans for the site.
9. Construction at the site will have to be undertaken in accordance with a health and safety plan.

If this correctly represents the agreement reached on April 12, 2002 please indicate your concurrence by signing below and returning a copy of this letter to us at your earliest convenience.

We have appreciated your assistance on this project.

Sincerely,



Douglas Herman
Associate Port Environmental Scientist

Barney Chan, Date

Chuck Headlee, Date

C:-\win\mydocs\projects\grey&reynolds\mou on site act.

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



October 3, 2001
CO0000791

Mr. Douglas Herman
Port of Oakland EH&SC Department
530 Water St.
Oakland, CA 94607

ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577
(510) 567-6700
FAX (510) 337-9335

Re: Work Plan Addendum, Embarcadero Cove, 1275 Embarcadero, Oakland CA 94606

Dear Mr. Herman:

I have received and reviewed the September 27, 2001 Workplan Addendum by Iris-Cambria Environmental, JV and the August 2001 Soil and Groundwater Investigation and Workplan by Baseline. The work plan addendum specifically proposes the installation of four monitoring wells and soil and groundwater analysis on 1275 Embarcadero, though additional investigation will be done on the rest of the property, which also includes 1285, 1311 and 1363 Embarcadero.

The main environmental issue on 1275 Embarcadero is residual gasoline and BTEX in groundwater from a former underground tank, however, TPH as diesel, TPH as motor oil and minor amounts of semi-volatile compounds has also been found. Attached, please find Figure 1, with revised locations for monitoring wells MW-2 through MW-4. You'll notice that each of the locations has been rotated approximately 20-30' counterclockwise. Our office believes these locations will better delineate the contaminant plume and estimate potential contamination that may impact future buildings and the estuary. Soil and groundwater samples should be analyzed for TPHg, TPHd, TPHmo, BTEX, semi-volatiles and Title 22 metals. MTBE was previously shown not to be present. Silica gel clean-up is recommended before TPHd and TPHmo analysis.

Please also provide the following additional information in your future technical report:

- Copies of Sanborn maps indicating the approximate location of the UST at this site.
- Copy of the GPR survey noting the subsurface anomalies that have been investigated.
- Copies of boring logs for the Cambria 8/30/01 borings and a
- Conduit survey for the site.

You may contact me at (510) 567-6765 if you have any questions.

Sincerely,

Barney M. Chan
Hazardous Materials Specialist

✓ Enclosure (Figure 1 to all)

C: B. Chan, files

Mr. B. Schultz, Cambria, 1144 65th St., Suite B, Oakland, CA 94608

Ms. A. LaPierre, Iris Environmental, 1615 Broadway, Suite 1003, Oakland CA 94612

1-1275 Embarcadero



PORT OF OAKLAND

October 2, 2001

HAND DELIVERED

Mr. Barney Chan
Hazardous Materials Specialist
Alameda County Health Care Services Agency
Department of Environmental Health
1131 Harbor Bay Parkway, 2nd Floor
Alameda, CA 94502

Subject: Workplan Addendum, Grey & Reynolds Development Site, Embarcadero Cove, 1275 Embarcadero Road, Oakland

Dear Mr. Chan:

Please find attached the workplan addendum report for the Grey & Reynolds Development Project at 1275 Embarcadero Road, Oakland. This addendum was prepared at the request of Alameda County Health Care Services Agency to better understand the scope of petroleum contamination in soil and groundwater, and to identify the locations of future on-site monitoring wells.

If you have any questions concerning the report, please contact me at (510) 6271184.

Sincerely,

Douglas P. Herman
Associate Port Environmental Scientist

Enclosure: Workplan Addendum, Grey & Reynolds Development Site, Embarcadero Cove, 1275 Embarcadero Road, Oakland

Cc w/encl: Barbara Szudy
Tom Bender

Cc w/o: Adrienne LaPierre

ALAMEDA COUNTY
HEALTH CARE SERVICES



AGENCY
DAVID J. KEARS, Agency Director

ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577
(510) 567-6700
FAX (510) 337-9335

August 30, 2001

Mr. Douglas Herman
Port of Oakland
530 Water St.
Oakland CA 94607

**Re: Request for Deposit for Oversight Fees for Embarcadero Cove Project, 1275-1363
Embarcadero, Oakland CA 94606**

Dear Mr. Herman:

Our office has received the following items from you:

- Port of Oakland August 22, 2001 letter to Lawrence Kolb and Ariu Levi regarding the notification of discovery of hazardous substances and petroleum products in the vicinity of Brooklyn Basin and Embarcadero Cove Marina
- August 2001 Soil and Groundwater Investigation and Workplan Gray & Reynolds Development Project by Baseline and a
- Fax copy of City of Oakland Fire Department Contaminated Site Case Transfer Form for the referenced site.

Our office will accept lead oversight contingent on SFRWQCB and DTSC concurrence. Based upon a cursory review of the referenced Baseline report, our office requests additional subsurface investigation, which presumably is addressed in the work plan portion of this report. In addition, in accordance with County Ordinance Section 3-140.5, our office requests the submission of a check for five thousand dollars, (\$5,000), to cover our anticipated oversight fees. Any unused funds will be refunded to the Port of Oakland upon the closure of this site. This deposit may be submitted at the time of our future meeting to facilitate our office's oversight. Please write CO0000791 on the check to aid in its correct receipt.

Please contact me at (510) 567-6765 if you have any questions.

Sincerely,

Barney M. Chan
Hazardous Materials Specialist

C: B. Chan, files
S. Hugo, ACEH

Embarc Cove

Post-it® Fax Note	7671	Date	8/31/01	# of pages	1
To	D. Herman	From	B Chan		
Co./Dept.	Port of Oakland	Co.	ACEH		
Phone #		Phone #	567-6765		
Fax #	451-5916	Fax #			



PORT OF OAKLAND

AUG 27 2001

Roberta Schoenholz
(510) 627-1176 Tel
(510) 451-5916 Fax

August 22, 2001

Mr. Lawrence Kolb, Acting Executive Director
Regional Water Quality Control Board
San Francisco Bay Region
1515 Clay Street, Suite 1400
Oakland, CA 94612

Mr. Ariu Levi
Manager
Alameda County Health Care Services Agency
Department of Environmental Health
1131 Harbor Bay Parkway, 2nd Floor
Alameda, CA 94502

Re: Notification of Discovery of Hazardous Substances and Petroleum Products at Certain Port of Oakland-Owned Parcels in the Vicinity of Brooklyn Basin and Embarcadero Cove Marina, Oakland, California
("Brooklyn Basin/Embarcadero Cove Marina Parcels")

Dear Messrs. Kolb and Levi:

Pursuant to various reporting statutes, the purpose of this letter is to notify the California Regional Water Quality Control Board, San Francisco Bay Region ("RWQCB") and the Alameda County Health Care Services Agency (ACHCSA) that hazardous substances and petroleum products ("reportable materials") were identified in the subsurface at certain real property owned by the Port of Oakland known as the Brooklyn Basin/Embarcadero Cove Marina Parcels. The location and nature of the reportable materials are documented in the attached Soil and Groundwater Investigation and Workplan Report prepared by Baseline Environmental Consulting and dated August 2001 ("Investigation Report").

By copy of this letter to Ms. Barbara J. Cook, P.E., Regional Branch Chief, Site Mitigation Branch of the California Environmental Protection Agency, Department of Toxic Substances Control ("DTSC"), the Port is providing similar notice to DTSC, but requests that the ACHCSA take the "lead" because of its previous assertion of jurisdiction over a portion of the Brooklyn Basin/Embarcadero Cove Marina Parcels. In fact, the ACHCSA has already provided a "no further action" letter dated June 28, 1999, with respect to Crowley Yard I at 1441 Embarcadero Cove (a portion of which is one of the Brooklyn Basin/Embarcadero Cove Marina Parcels identified in the enclosed Investigation Report). In addition, the Port has received verbal agreement from Mr. John Wolfenden of the RWQCB and written agreement from Mr.

Mr. Kolb
Mr. Levi
August 22, 2001
Page 2

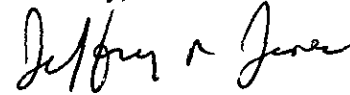
Hernan Gomez of the City of Oakland for ACHCSA to assert jurisdiction over the Brooklyn Basin/Embarcadero Cove Parcels.

As documented in the Investigation Report, the analytical results from recent soil and groundwater samples collected indicate the presence of hazardous substances and petroleum products. The Investigation Report provides a set of recommendations and a workplan to address what the Port believes to be anticipated requirements and directives of the ACHCSA. To ensure that the Port's activities are compliant with ACHCSA requirements, the Port requests a written directive from ACHCSA to implement the workplan contained in the Investigation Report.

Some of the Embarcadero Cove properties are scheduled for development in the near future. Since time is of the essence, the Port appreciates ACHCSAs' prompt review of the attached Investigation Report and ACHCSA's written directive setting forth the workplan requirements.. Port staff is ready to meet with ACHCSA staff to discuss this matter further.

Should you have any questions regarding the environmental conditions at the Brooklyn Basin/Embarcadero Cove properties or need further information, please contact Douglas Herman at your convenience at (510) 627-1184.

Sincerely,



for
Roberta Schoenholz
Manager, Environmental Health & Safety
Compliance Department

Enclosure: Soil and Groundwater Investigation Workplan dated August 2001, Grey & Reynolds Development Project, Oakland

Cc w/encl: Barbara J. Cook, P.E., DTSC
Betty Graham, RWQCB
Barney Chan, ACHCSA
Barbara Szudy, Port CRE
Tom Bender
Michele Heffes, Port
Douglas Herman, Port
Bruce Love, Crowley Maritime Services

Cc: w/o encl John Wolfenden, RWQCB
Hernan Gomez, City of Oakland, OES
Peter M. Reynolds
Dan Grey



PORT OF OAKLAND

Environmental Health &
Safety Compliance
530 Water Street, 2nd Floor
Oakland, CA 94607

FAX: (510) 451-5916
PHONE: (510) 627-1529

FACSIMILE TRANSMITTAL

TO	Alameda County
ATTENTION	Ariw Levi
FROM	Douglas Herman
DATE & TIME	8/17/01 1:30 pm
FAX NUMBER	510-337-9335
NO. OF PAGES	2 FC

COMMENTS:

Ariw:

Please find attached the completed Case Transfer form from Herman Gomez from the City.

If you have any question, please let me know. Thanks, Douglas

P.S. I would like to meet with Barney Chen next week to discuss this project, if possible

**CITY OF OAKLAND FIRE DEPARTMENT
Office Of Emergency Services
1605 Martin Luther King Jr. Way, Oakland, CA 94612**

Hazardous Materials Program

Contaminated Site Case Transfer Form

Site Information:

Site Responsible Party (ies)	Part of Oakland
Site Name	Gray + Reynolds Development Project
Site Address	1275 - 1363 Embarcadero
Site Phone	510 627-1124
Site Contractor & Consultant (if available)	Aries / Cambria
Site DBA	

Site Conditions:

UST			
former product (fuel) w/o, solvent, others)?	Yes	<input checked="" type="checkbox"/>	No <input type="checkbox"/>
observations of system (holes, leaks)?	Yes	<input type="checkbox"/>	No <input type="checkbox"/>
observed contamination (free product, smell, soil/water discoloration)?	Yes	<input type="checkbox"/>	No <input type="checkbox"/>
soil and/or groundwater concentrations of contaminants?	Yes	<input checked="" type="checkbox"/>	No <input type="checkbox"/>
unauthorized Release Form Filed?	Yes	<input type="checkbox"/>	No <input checked="" type="checkbox"/>
future intended use if known?	Yes	<input checked="" type="checkbox"/>	No <input type="checkbox"/>
NON-UST			
Former industrial use?	Yes	<input type="checkbox"/>	No <input type="checkbox"/>
Soil and/or groundwater concentrations of contaminants?	Yes	<input type="checkbox"/>	No <input type="checkbox"/>
Future intended use if known?	Yes	<input type="checkbox"/>	No <input type="checkbox"/>
<i>If available, attach pertinent reports</i>			

Transferred as: LOP SLIC

Level of Update requested:

distribution list all meetings all site visits closure sign off all the above

Transfer requested by Inspector: H. Goins 8/17/01

Transfer accepted by: (ALCo EHS): _____